

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)
034701-203

First named inventor: Alex S. Goldenberg

Application No.: 09/927,416

Art Unit: 2838

Filed: 08/10/01

Examiner: Han, Younghuie Jessica

Title: ACTUATOR THERMAL PROTECTION IN HAPTIC FEEDBACK DEVICES

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX: (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact
Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee -- required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity - fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity - fee \$1500.00 previously paid; charge deposit account no. 50-1698 if necessary (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in
the form of _____ (identify type of reply):

☐ has been filed previously on _____.

☒ is enclosed herewith.

B. The issue fee of \$ 1703 (charge deposit account 50-1698)

☐ has been paid previously on _____.

☒ is enclosed herewith.

[Page 1 of 2]


This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$_____ for a small entity or \$_____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

	October 4, 2004
Signature	Date
Khaled Shami	38,745
Typed or printed name	Registration Number, if applicable
P.O. BOX 640640	408-292-5800
Address	Telephone Number
San Jose, CA 95164-0640	
Address	

Enclosures: ☒ Fee Payment

☒ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

☒ Other : Issue Fee transmittal form PTOL-85(b); Petition to Withdraw Application from Issue under 37 CFR 1.313 and accompanying fee; Request for Continued Examination (RCE) and accompanying fee; Information Disclosure Statement (IDS) and copies of cited references; Statement under 37 CFR 3.73(b)

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(A)]

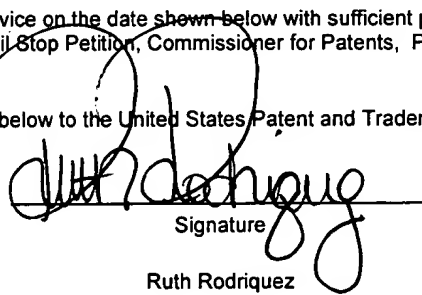
I hereby certify that this correspondence is being:

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

October 4, 2005

Date



Signature

Ruth Rodriguez

Typed or printed name of person signing certificate



IMMR-1115A
Serial No.: 09/927,416

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Alex S. Goldenberg et al.
SERIAL NO.: 09/927,416
FILING DATE: August 10, 2001
TITLE: Actuator Thermal Protection in Haptic Feedback Devices
EXAMINER: Younghuie Jessica Han
ART UNIT: 2838

Certificate of Mailing

I hereby certify that this paper is being deposited with the United States Postal Service as First Class
Mail in an envelope addressed to: Commissioner for Patents, P.O. Box
1450 Alexandria, VA 22313-1450 on the date printed below:
Date: 10/4/05 Signature: [Signature]

**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

I. Renewed Petition under 37 CFR 1.137(b)

Applicant respectfully submits this request for reconsideration of the decision by the Patent Office dated August 4, 2005, to dismiss the petition under 37 CFR 1.137(b), filed by Applicant on April 6, 2005.

In support of this request, Applicant submits herewith:

- (1) Issue Fee (charge deposit account no. 50-1698)
- (2) Issue Fee transmittal form PTOL-85(b)
- (3) Petition Fee under 37 CFR 1.17(m) of \$1,500 (previously paid; charge deposit account no. 50-1698 if necessary)
- (4) Statement that entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional

II. Petition to Withdraw Application from Issue under 37 CFR 1.313

Applicant further hereby petitions for withdrawal from issue of the above-captioned application in favor of a Request for Continued Examination (RCE) and accompanying Information Disclosure Statement (IDS).

In support of this petition to withdraw application from issue, Applicant submits herewith:

- (5) Petition Fee under 1.17(h) of \$130 (**charge deposit account no. 50-1698**)
- (6) Request for Continued Examination (RCE) in compliance with 37 CFR 1.114, including RCE fee of \$790 (**previously paid; charge deposit account no. 50-1698 if necessary**)
- (7) Information Disclosure Statement (IDS)

III. Statement under 37 CFR 3.73(b)

Enclosed herewith is a Statement under 37 CFR 3.73(b) empowering the assignee to sign the Revocation and Power of Attorney file on April 6, 2005.

- (8) Statement under 37 CFR 3.73(b)

V. Formal Drawings


- (9) Formal drawings as requested and enclosed herewith

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-1698.

Early and favorable consideration is respectfully requested.

Respectfully submitted,
THELEN REID & PRIEST LLP

Dated: October 4, 2005


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